

**GEORGIA STATE BOARD OF PHYSICAL THERAPY
MINUTES OF BOARD MEETING
OCTOBER 31, 2006**

The Georgia State Board of Physical Therapy met on **October 31, 2006** at the Offices of the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia for the purpose of conducting business.

Members Present:

- Charlene D. Portee, P. T., President
- Lola Rosenbaum, P.T., Vice President
- John L. Cowherd, Consumer Member
- Andy Ellis, P.T.
- George Hamil, P.T.
- Donald Walsh, P.T.
- Patricia Willis, P.T.

Others Present:

- Anita O. Martin, Executive Director
- Lisa Durden, Executive Director
- Eva Holmes, Board Secretary
- Calandra Paschal, Board Secretary

President Charlene D. Portee established that a quorum was present, and called the meeting to order in Open Session at 9:13am.

AGENDA

Considered Board Rule 490-4-.02: Continuing Competency Requirements:

- Ms. Willis motioned, Mr. Cowherd seconded and the board voted to post.

Considered draft of Board Rule 490-4-.03: Reserved

- Ms. Rosenbaum motioned, Ms. Willis seconded and the board voted to **repeal**.

Considered draft of Board Rule 490-6-.01: Procedural Rules

- Ms. Rosenbaum motioned, Ms. Willis seconded and the board voted to **post**.

Considered draft of Board Rule 490-9-.04: Disciplinary Sanctions

- Ms. Willis motioned, Mr. Hamil seconded and the board voted to **post as amended**.

Considered draft of Board Rule 490-11-.01: Consultation

- Mr. Walsh motioned, Mr. Ellis seconded and the board voted to **post**.

Considered for approval minutes from August 1, 2006

- Ms. Rosenbaum motioned, Mr. Walsh seconded and the board voted to **approve** the minutes as amended.

Correspondence from the Georgia Board of Chiropractic Examiners regarding 2006 Advanced Chiropractic Assistant Training Course:

- Board response: Viewed as informational.

Correspondence from Michelle Bradley, PT re: Does state regulations allow residents of personal care home to be treated as outpatients?

- Board response: Send Ms. Bradley the no legal letter and refer to Medicare regulations.

Correspondence from Linda Maynard.

- Board response: Viewed as informational and to send her a letter stating that the board has received her letter and understand her position; however the Board is required to follow the rules.

Correspondence from Mary Pidich re: Clarification of Board Rule 490-5-.01.

- Board response: Send Ms. Pidich the no legal letter and refer to the rules and regulations on supervision.

Request from Abiodun Akimwuntun petitioning for variance regarding Board rule 490-2-.03(f).

- Board response: Mr. Walsh motioned, Ms. Rosenbaum seconded and the Board voted to **deny** the petition and to notify Mr. Akimwuntun that he must abide by the conditions of 490-2-.04(c). The board further voted to approve the renewal to the training permit upon receipt.

Request from Jennifer Nalley Baker petitioning for waiver of Board rules 490-4-.02 and 490-4-.04.

- Board response: Ms. Willis motioned, Mr. Cowherd seconded and the Board voted to **deny** the petition. She must get current with CE requirements in Georgia.

Ms. Willis made a motion and Mr. Hamil seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A §43-1-19(h)(2) and §43-1-2(k) to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and the Assistant Attorney General's report. Voting in favor of the motion were those present who included Ms. Rosenbaum, Mr. Ellis, Mr. Hamil and Mr. Walsh. The Board concluded **Executive Session** in order to vote on these matters and continue with the public session.

Executive Session

C. L.C. – PTA applicant answered yes to the arrest/conviction question.

- Mr. Hamil motioned, Mr. Walsh seconded and the Board voted to **approve**.

I.R.P. – PTA applicant by exam answered yes to the arrest/conviction question and reprimand/demoted question.

- Mr. Hamil motioned, Mr. Walsh seconded and the Board voted to **approve**.

H.H.M. – PT applicant that has taken exam 12 times. Passed NPTE on 7/26/06 through NY.

- Mr. Cowherd motioned, Mr. Walsh seconded and the Board voted to license under a public consent agreement requiring supervised practice for 1 year. The supervisor & practice setting must be pre-approved by the board; requires co-signatures from supervisor for all treatment; all CE for 2007 renewal period must be didactic (no on-line); must petition the board to have supervision restriction lifted. For purposes of this agreement – supervised practice must be 100% on-site supervision. Refer to board attorney to draft order.

C.C.C. – PT endorsement applicant requesting second appeal.

- Mr. Cowherd motioned, Mr. Hamil seconded and the Board voted to **deny** request and send a copy of the letter to applicant's attorney.

Y.M.G. – Petitioning for termination of monitoring.

- Mr. Cowherd motioned, Mr. Hamil seconded and the Board voted to **approve**.

J.B. – PTA endorsement applicant request answered “yes” to arrest/conviction question.

- Mr. Cowherd motioned, Mr. Hamil seconded and the Board voted to **approve**.

Y.T.J. – PTA applicant failed NPTE-PTA exam twice and answered “yes” to arrest/conviction question.

- Mr. Cowherd motioned, Mr. Hamil seconded and the Board voted to license under a public consent agreement requiring supervised practice for 1 year. The supervisor & practice setting must be pre-approved by the board; requires co-signatures from supervisor for all treatment; all CE for 2007 renewal period must be didactic (no on-line); must petition the board to have supervision restriction lifted. For purposes of this agreement – supervised practice must be 100% on-site supervision. Refer to board attorney to draft order.

K.D.M. – PT applicant answered “yes” to question regarding termination from an educational institution.

- Mr. Cowherd motioned, Mr. Hamil seconded and the Board voted to **approve**.

P.J.M. – PTA reinstatement applicant answered “yes” to question regarding conviction.

- Mr. Cowherd motioned, Mr. Hamil seconded and the Board voted to **approve**.

K.S.B. – PT applicant by endorsement answered “yes” to question regarding license being sanctioned.

- Mr. Cowherd motioned, Mr. Hamil seconded and the Board voted to **approve** license under public consent agreement. Must take & pass the law exam prior

to licensure. Must take didactic law CE course (no on-line courses) within 6 months of licensure. Flag for CE audit.

S.C. – PT endorsement applicant requesting that some of the Professional Education b allowed for General Education.

- Mr. Cowherd motioned, Ms. Rosenbaum seconded and the Board voted to **approve**.

T.L.H. – PT exam applicant – received score report for PT exam taken on 10/6/06 which indicates that this was her 4th attempt. However, her application indicates that she has never taken the exam.

- Mr. Cowherd motioned, Ms. Rosenbaum seconded and the Board voted to **deny** application and to allow no further attempts for the exam to be taken in Georgia. The Board also requested that we flag application concerning this issue.

G.B. – PT renewal applicant.

- Mr. Walsh motioned, Ms. Rosenbaum seconded and the Board voted to **deny** request for renewal due to applicant being convicted of crime of moral turpitude.

C.G. – PT applicant answered “yes” to question regarding arrest/conviction.

- Mr. Ellis motioned, Mr. Cowherd seconded and the Board voted to **approve**.

Appointments with the Board

Jennifer Privette– Approved

- **Board response:** Motion made by Ms. Rosenbaum and seconded by Mr. Hamil to reinstate under a public consent order to include 5 years probation, supervisor quarterly reports, a \$2000.00 administrative fine, a \$500 fine for failure to renew on time, a \$500 fine for continuance competency, a \$210 fine for unlicensed practice and must obtain 5 extra hours of continuing education in recordkeeping.

Lynn Eason, Enforcement

- **PT060006** – Close
- **PT060022** – Send case to Linda Bratcher for Peer Review.
- **PT070001** – Send case to Kathleen Smith for Peer Review.

Mr. Ellis motioned, Mr. Cowherd seconded and the Board voted to **accept** the Enforcement report.

Anita O. Martin, Executive Director

- Provided requested information on FCCPT & ICA evaluation techniques. This information is still pending.
- Provided information about the change in the administrative support at the PLB.

Other Business

- Discussion of terms and title protection for GA Law (Physiotherapy)

- Ms. Portee gave report on the 2006 Annual FSBPT meeting.
- ED to work on drafting a policy for the November agenda regarding licensure after multiple examination attempts requiring consent agreement. Board may consider adding to board rule 490-3-.02.
- Established Agenda for November Public Meeting

There being no further business to come before the Board, the meeting was adjourned at 3:15 P.M.

Minutes prepared by: Calandra Paschal

Minutes reviewed by: Anita Martin

These minutes were signed and approved on November 28, 2006 .